IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICITON

FERA APPEAL NO.71 OF 2007

Union of India & Anr. .. Appellants.

Versus

M/s.Ratnam Exporters Importers
of Handicrafts Gems & Jewellery .. Respondents.

AND
FERA APPEAL NO.72 OF 2007

Union of India & Anr. .. Appellants.

Versus

Shri Maganlal S. Jain .. Respondent.

Mr.R.V. Desai, senior counsel with Mr.A.S. Rao, Mr.H.P. Chaturvedi & Mrs.S.V. Bharucha for the appellant.

None for the respondents.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 12TH OCTOBER, 2007.

P.C. :

1. The appeals are filed by the revenue against order dated 12-5-2003. We have perused the impugned order. The learned Tribunal has come to the conclusion that the respondents before it had technically violated the provisions and in that context reduced penalty to Rs.50,000/- from Rs.2,50,000/- and on the partner to Rs.25,000/-. Contention of the learned counsel was that after

arriving at a conclusion that the respondents were liable to pay, it was not open to the Tribunal to held the same is arbitrary. Considering the order, expression arbitrary has to be read as excessive.

2. In the light of that, we find no case for interference. Hence, the appeals are dismissed.

(F.I. REBELLO, J.)

(J.P. DEVADHAR, J.)